

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

CLEMENS FRANEK,	)	
	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 08-cv-00058
v.	)	
	)	Judge Robert M. Dow Jr.
	)	
WALMART STORES, INC. &	)	
TARGET CORPORATION,	)	
	)	
Defendant.	)	
	)	

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 16.3 & PLAINTIFF'S  
WILLINGNESS TO PARTICIPATE IN LANHAM ACT MEDIATION  
PROGRAM**

NOW COMES the Plaintiff, Clemens Franek, through his attorney, Mark Roth of Orum & Roth, LLC, and for Plaintiff's Certificate of Compliance with Local Rule 16.3 & Plaintiff's Willingness to Participate in Lanham Act Mediation Program states:

Plaintiff filed a Complaint alleging violation of the Lanham Act against the Defendants, Walmart and Target. Plaintiff received the Waiver of Service form from Target's counsel on January 14, 2008 and a Waiver of Service form from Walmart's counsel on January 28, 2008. On that same day, January 28, 2008, counsel for Plaintiff sent to both counsels for Target and Walmart a copy of the Court's mediation procedures along with the list of the mediators.

Plaintiff desires to participate in the Lanham Act mediation program in an attempt to resolve this matter at an early juncture.

Respectfully submitted,

/s/ Mark D. Roth

Mark D. Roth

Mark D. Roth  
ORUM & ROTH, LLC  
53 West Jackson Blvd.  
Suite 1616  
Chicago, IL 60604  
Telephone: (312) 922-6262